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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,375	02/14/2001	Douglas Michael Johnescu	BERG-2572/C2685	2317
7590	11/18/2003		EXAMINER	TSUKERMAN, LARISA Z
Jonathan M. Waldman Woodcock Washburn Kurtz Mackiewicz & Norris LLP One Liberty Place - 46th Floor Philadelphia, PA 19103			ART UNIT	PAPER NUMBER
			2833	DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/783,375	JOHNESCU, DOUGLAS MICHAEL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Larisa Z Tsukerman	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 September 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 34-42 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 34-37 is/are allowed.
- 6) Claim(s) 38-42 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 38, 39 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Cruise et al. (5259769).

**In regard to claim 38,** Cruise et al. disclose a connector 10 comprising:

**a housing 14 that defines a channel 74 and an exterior surface 60; and**

**a contact 16 comprising:**

a mounting end 50 fixed within the channel 74;

a distal end 80 positioned adjacent to the exterior surface 60 and movable along the exterior surface,

a medial portion 78 that connects the mounting end and the distal end 80, and

the medial portion 78 protrudes from the channel (see Fig.6).

**In regard to claim 39,** Cruise et al. disclose the distal end 80 of the contact 16 is positioned adjacent to the channel 74.

**In regard to claim 40,** Cruise et al. disclose the mounting end 50 extends through the exterior surface 60 of the housing 14 (see Fig. 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cruise et al. (5259769) in view of Lemke et al. (6024584) or Taylor (5746608). Cruise et al. disclose most of the claimed invention except for a solder ball as a fusible element.

Lemke teaches a well-known equivalent way to attach a contact - mounting tab 386 to a substrate by using solder a ball 404/406 (see Fig. 24 and 25 and Col. 8, lines 24-25); Taylor also teaches a well-known equivalent way to attach a contact mounting tab 50 by using solder a ball 52 (see Figs.4 and 5 and Col. 3, lines 13-23). Therefore, it would have been obvious to one of ordinary skill in the art to at the time the invention was made to utilize the well-known equivalent way to attach the contact by using the solder ball, as taught by Lemke and Taylor, in the structure of Cruise et al.

***Allowable Subject Matter***

Claims 34-37 are allowed.

The following is an examiner's statement of reasons for allowance: The Prior Art of record does not teach or suggests a connector with housing having a retention structure that including channels extending in a first direction, and a contact having a

mounting tab contacting the housing so that the housing restrains the contact in the first direction and in a second direction opposite first direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Zuin (6068514), Semmeling et al. (6155844), Mosquera (6241558), Bishop (5967800), (6077089), (6386889), (6579104), Scheingold et al. (4220383), Lemke et al. (6241535), Onoue et al. (4936792).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larisa Z Tsukerman whose telephone number is (703)-308-6038. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A Bradley can be reached on 703-308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-7722 for regular communications and (703)-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

L.T.  
November 12, 2003

  
THO D. TA  
PRIMARY EXAMINER